



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
ADMINISTRATION
AND RESOURCES
MANAGEMENT

May 20, 2013

CERTIFIED MAIL via E-mail

Kemp Howell
e-mail: kemp.howell@amec.com
Amec Environment & Infrastructure, Inc.
404 SW 140th Terrace
Newberry, FL 32669

Reference: [1] Freedom of Information Act Request **EP-HQ-2013-004712**
[2] **10-DAY NOTICE**

Dear Mr. Howell:

The Environmental Protection Agency (EPA) received a request under the Freedom of Information Act (FOIA) for copies of your technical and cost proposals submitted in response to Request for Proposal (RFP) PR-HQ-08-10055, which resulted in the award of Contract EP-W-09-028. You had asserted a claim of confidentiality for this material. In accordance with the Agency's Class Determination I-95, I have determined that all portions of the technical proposal, with the exception of title pages, cover letters, tables of contents, and information identifying other Government contracts performed by Mactec, which your company acquired, are entitled to confidential treatment and will not be disclosed. Copies of those portions of the proposal which are not entitled to confidential treatment are enclosed. You can view the EPA Class Determination I-95 by going to this link <http://www.epa.gov/oam/foia/i95.pdf>.

With respect to the information which is **not** entitled to confidential treatment, I am notifying you, pursuant to Title 40 CFR §2.205(f), that this constitutes the final EPA action concerning your business confidentiality claim for this information. This action may be subject to judicial review under Chapter 7 of Title 5 of the United State Code. The EPA will make the information which is **not** entitled to confidential treatment available to the public on the tenth working day after the day on which you receive this letter unless the EPA receives notice from you that you have instituted suit in a Federal Court to obtain judicial review of this action and to obtain preliminary injunctive relief against disclosure. Even if you do notify the EPA that you have instituted judicial proceedings, the Agency may nonetheless release

the information (in the absence of an order by the court to the contrary) in the following circumstances:

1. If the Court has denied a motion for a preliminary injunction or has otherwise upheld the EPA action, or
2. If it appears to the EPA, after reasonable notice to you, that you are not taking appropriate measures to obtain a speedy resolution of the action.

You may request an extension of the ten-day period for filing. However, no extension will be granted, except in extraordinary circumstances, without the permission of the person who has made the request for the information.

Please address your notice to:

Nguyen Quoc
U.S. Environmental Protection Agency
Office of General Counsel (7426Q)
Office of Deputy General Counsel
Grants, Contracts and General Law Division
1200 Pennsylvania Avenue N.W.
Washington, DC 20460
Telephone: (202) 564-2691

Any other correspondence regarding EPA-HQ-2013-004712 should be addressed to:

Kirk R. Marusak
U.S. Environmental Protection Agency
Policy, Training and Oversight Division
Policy and Oversight Service Center (3802R)
1200 Pennsylvania Avenue N.W.
Washington, DC 20460

Please also reference for identification purposes EPA-HQ-2013-004712 in any communication. Should there be any questions regarding this notice, please do not hesitate to contact me at:

(202) 564-4493 or via e-mail Marusak.Kirk@epa.gov

Sincerely,



Kirk R. Marusak
FOIA Specialist
Freedom of Information Act (FOIA) Team
Office of Acquisition Management

Attachments